

PROB 12A  
(7/93)

UNITED STATES DISTRICT COURT  
for  
Western District of Texas

**Report on Offender Under Supervision**

Name of Offender: Antonio Nieto

Case Number: A-14-CR-300(8)-SS

Name of Sentencing Judicial Officer: Honorable Sam Sparks, Senior U.S. District Judge

Date of Original Sentence: June 11, 2015

Original Offense: Possession with Intent to Distribute Cocaine in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Original Sentence: Sentenced to eighty-seven (87) months' custody to the Bureau of Prisons, followed by three (3) years of supervised release. Special Conditions include: substance abuse treatment; abstain from the use of alcohol and all other intoxicants; search condition; and a \$100 special assessment fee (satisfied).

Type of Supervision: Supervised Release

Date Supervision Commenced: July 2, 2021

Assistant U.S. Attorney: Mark H. Marshall

Defense Attorney: Kevin W. Boyd(retained)

---

---

**PREVIOUS COURT ACTION**

None.

**NONCOMPLIANCE SUMMARY**


**Violation of Standard Condition No. 7:** "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician."

**Nature of Non-compliance:** On September 16, 2021, the offender submitted to a random drug test. On September 27, 2021, the drug test returned from the lab positive for marijuana. Nieto admitted to said usage.

Antonio Nieto  
Report on Offender Under Supervision  
Page 2

**U.S. Probation Officer Action:** On September 27, 2021, this officer addressed the positive drug test with the offender. The offender admitted to using marijuana to cope with his stress regarding his daughter. This is the offender's first positive drug test and was given a verbal admonishment. He will remain on random drug testing. The offender understands that this behavior is unacceptable while on supervision and asked for a chance to redeem himself. It is respectfully recommended that no action be taken at this time to allow the offender to get back into compliance. If any further violations occur, they will be reported to the Court.

Respectfully submitted,



Nickalous D. Wisner  
United States Probation Officer  
Date: 10/4/2021



Approved: \_\_\_\_\_  
Hector J. Garcia, Supervising  
United States Probation Officer

---

**THE COURT ORDERS:**

- ☒ No Action
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other



Honorable Susan Hightower  
United States Magistrate Judge

Date: October 5, 2021